

## The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

MICROSOFT CORPORATION, a Washington corporation,

CASE NO. C10-1823-JLR

**Plaintiff,**

V.

MOTOROLA, INC., and MOTOROLA  
MOBILITY, INC., and GENERAL  
INSTRUMENT CORPORATION.

MOTOROLA DEFENDANTS' NOTICE  
OF APPEAL OF PRELIMINARY  
INJUNCTION<sup>1</sup>

#### Defendants.

MOTOROLA MOBILITY, INC., and  
GENERAL INSTRUMENT CORPORATION,

**Plaintiffs/Counterclaim Defendant,**

V.

## MICROSOFT CORPORATION,

Defendant/Counterclaim Plaintiff.

<sup>1</sup> The District Court's Order granted a temporary restraining order of unlimited duration after full briefing and oral argument. In such a situation, the Order is properly treated as a preliminary injunction, from which an appeal may be taken. *Serv. Empl. Int'l Union v. Nat'l Union of Healthcare Workers*, 598 F.3d 1061, 1067 (9th Cir. 2010).

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PRELIMINARY INJUNCTION OF  
CASE NO. C10-1823-JLR

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1 NOTICE IS HEREBY GIVEN that Motorola, Inc., Motorola Mobility, Inc. and General  
2 Instrument Corporation (collectively, "Motorola"), Defendants in the above-captioned case, appeal  
3 to the United States Court of Appeals for the Ninth Circuit from the order of the District Court  
4 entered on April 12, 2012 (Docket No. 261) and all other orders or rulings merged or incorporated  
5 therein, including as reflected in the April 11, 2012 transcript (Docket No. 277).

6 DATED this 2nd day of May, 2012.

7 SUMMIT LAW GROUP PLLC

8 By /s/ Ralph H. Palumbo

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12 By /s/ K. McNeill Taylor, Jr.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 2nd day of May, 2012.

*/s/ Marcia A. Ripley*

Marcia A. Ripley

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